

REMARKS

A final Office Action was mailed on March 10, 2005. Claims 1 – 7, 9 – 12, 14 and 15 are currently pending in the application. Applicants amends claims 1 – 3, 14 and 15 to address informalities, and adds new claims 16 - 21. No new matter is introduced. Support for new claims 16 - 21 may be found in Applicants' specification, for example, at page 14, lines 16 – 25 (with reference to FIG. 5).

REJECTION UNDER 35 U.S.C. § 102

Claims 1 – 7, 9 – 12, 14 and 15 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,522,769 to Rhoads et al. Applicants respectfully traverse this rejection.

In independent claim 1, Applicants disclose:

1. A method of providing a content, characterized in that:

when a content is transmitted to a user, an electronic watermark for preventing execution of said content is embedded in said content and at least information associated with the user, to whom said content is to be transmitted, is added to said content; and

when said content is executed, said information associated with the user who has received said content is checked at both transmitting and receiving ends, and the execution of said content is allowed by removal of said electronic watermark if and only if the result of the checking indicates that said content is an authorized content.

(Emphasis added)

Rhoads discloses a system and method for reconfiguring a watermark detector (see, e.g., abstract of Rhoads). The system may include at least one of a watermark detector and/or a watermark decoder (see, e.g., column 10, line 59 to column 11, line 50 of Rhoads. Associated copy protection methods may include information associated with a user performing downloads such as registered user device identification (see, e.g., column 11, lines 28 – 47). Delivered

content may include pre-registered device identification information, which is compared with the actual device identification upon downloading to determine whether copying of the content to the identified device is permitted.

While Rhoads discloses means for detecting and decoding electronic watermarks, unlike Applicants' claimed invention as claimed in claim 1, Rhoads fails in addition to disclose or suggest a user device additionally including means for removing the electronic watermark in order to facilitate execution when it is determined that the associated content is authorized content with respect to the user.

Although Rhoads teaches that watermark data may be used to provide access to additional content (see, e.g., column 12, lines 44 – 62 of Rhoads) and to qualify the extent of permission to use downloaded content (see, e.g., column 13, lines 25 – 32), in sharp contrast to Applicants' claimed invention, Rhoads nowhere teaches or suggests using a watermark as a means to prevent execution of downloaded content so long as the watermark has not been removed by the user. In fact, Rhoads essentially teaches away from this approach by suggesting that a watermark be added to downloaded content as a means of authorizing or enabling execution of the content (see, e.g., column 13, lines 20 – 24 of Rhoads).

For these reasons, Applicants respectfully submit that Rhoads fails to anticipate Applicants' claimed invention as claimed in independent claim 1, and that independent claim 1 is therefore allowable. As independent claims 2 – 5, 9, 10, 14 and 15 substantially include the limitations of claim 1 pertaining to watermarks, Applicants further submit that independent claims 2 – 5, 9, 10, 14 and 15 are not anticipated by Rhoads and are in condition for allowance. In addition as claims 6, 7 and 11, 12 respectively depend from allowable independent claims 4, 5

and 9, 10, Applicants further submit that claims 6, 7 and 11, 12 are allowable for at least this reason.

NEW CLAIMS

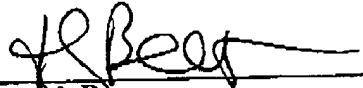
New claims 16 – 21 are introduced to further claim a preferred mechanism for removal of the electronic watermark when checking indicates that the content is authorized with respect to the user. New claims 16 – 21 disclose key information which is transmitted to a user terminal by a content provided upon determining that the content is authorized, and which includes information representing a data location of the content in order to facilitate removal of the electronic watermark by the user terminal. As disclosed for example by new claims 18 and 21, upon completing the watermark removal, the user terminal may also be configured to delete the key information. Applicants respectfully submit that the limitations of new claims 16 – 21 are neither disclosed nor suggested by Rhoads, and are therefore allowable.

CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above remarks, it is believed that claims 1 – 7, 9 – 12, and 14 - 21, consisting of independent claims 1 – 5, 9, 10, 14 and 15, and the claims dependent therefrom, is in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,


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TJB:fd